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Docket No. 4497A



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Applicant: Uzunian, et al.
Serial No.: 10/624,835
Date Filed: July 21, 2003
Title: The Use of Effect Pigments in Ingested Products
Art Unit: 1615
Examiner: M. Young

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed, except for: (a) pending applications or (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120.

Serial No.: 09/891,725
Filing Date: 06/26/2001

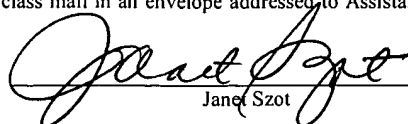
09/24/2004 BSAYAS11 00000056 051070 10624835
01 FC:1806 180.00 DA

- a) This is a supplemental Information Disclosure Statement under 37 CFR 1.99; a previous Information Disclosure Statement was filed on July 1, 2004.
- b) This Supplemental Information Disclosure Statement is being submitted as the information was brought to the attention of applicant.

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231.

Date: September 22, 2004


Janet Szot

- c) The art was encountered in the course of the prosecution of the corresponding international patent application(s) under the Patent Cooperation Treaty No.
- d) Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant believes the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant reserves the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) _____ Copy of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) _____ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".
- (c) _____ Abstracts by recognized library services.

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) _____ Within 3 months of the filing date or date of entry into the National Stage.
- (b) _____ Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 05-1070 for consideration of this Statement.
- (c) X After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.
 - (1) _____ The required certification is given below, or
 - (2) _____ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or
 - (3) X Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 05-1070.
- (d) _____ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

- (1) ___ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(i)(1), or
- (2) ___ Charge the fee set forth in 37 C.F.R. 1.17(i)(1) to Deposit Account No. 05-1070.

4. Certification:

The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

5. The Commissioner is authorized to charge any fee, which may be required for consideration of this Statement or credit any overpayment to Deposit Account No. 05-1070.

Respectfully Submitted,

By: Melanie L. Brown
Melanie L. Brown
Reg. No. 31,592

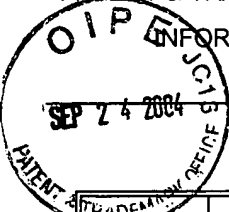
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**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

APPLICANT: Uzunian, et al.

FILING DATE: July 21, 2003

GROUP:



REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document number	Publication Date	Country or Patent Office	Class	Translation	
					Yes	No

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	Toxicology and Carcinogenesis Studies of Dietary Titanium Dioxide-Coated Mica in Male and Female Fischer 344 Rats", Bernard, Osherooff, Hofmann, Mennear; <u>Journal of Toxicology and Environ. Health</u> , 29:417-429, 1990.
	Iriodin Ti 100 K Trial for Subchronic Toxicity in the 3-Month Feed Test in Rats; E. Merck, Darmstadt, Germany, Medical research Div. Institute of Toxicology; July 7, 1972 (Available to the public on 4/31/98)
	E. Merck, Nacreous Pigment Iriodin Colibri Reddish-Brown 04502, Trial for Acute Toxicity in Rats after Oral Administration and for Primary Skin and Mucosal Irritation in Rabbits; 10/22/1975 (Available to the public on 4/31/98)
	E. Merck, Darmstadt, Germany, Investigation of Subchronic Toxicity in Rats in a 3-Month Feeding Study with a 2-Month Treatment Free Follow-up Phase; 2/12/1982 (Available to the public on 4/31/98)
	EM Industries – Certificate of Analysis 7/30/1997 (Available to the public on 4/31/98)

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.